



Practitioner's D c k t No. HES 2003-IP-012229U1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application

of _____
Inventor(s)

for _____
Title of invention

OR

In re application of: Jiten Chatterji et al.

Application No.: 0 10/695,892

Group Art Unit: unknown

Filed: October 29, 2003

Examiner: unknown

For: Methods, Cement Compositions And Oil Suspensions Of Powder

Assistant Commissioner for Patents

Washington, D.C. 20231

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. § 1.97(b))**

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

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I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10*

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Date: 12-9-03

Sheila Gibbs

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* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Transmittal of Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office Action [6-3]—page 1 of 3)

NOTE: 37 C.F.R. 1.98(b):

- (1) Each U.S. patent listed in an information disclosure statement must be identified by inventor, patent number, and issue date.
- (2) Each U.S. patent application publication listed in an information disclosure statement shall be identified by applicant, patent application publication number, and publication date.
- (3) Each U.S. application listed in an information disclosure statement must be identified by the inventor, application number, and filing date.
- (4) Each foreign patent or published foreign patent application listed in an information disclosure statement must be identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application.
- (5) Each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication.

WARNING: No extension of time can be had under 37 C.F.R. § 1.136 (a) or (b) for filing an IDS. 37 C.F.R. § 1.97(f).

NOTE: The "filing date of a national application" under 37 C.F.R. § 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark Office, the filing is defined in 37 C.F.R. § 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. § 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the basic national fee; (2) a copy of the international application, unless already sent by the International Bureau, and optionally an English translation if filed in another language; and, also optionally (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. The optional items must be submitted later, with surcharges. 37 C.F.R. § 1.97(b)(2).

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. § 1.97(b).

NOTE: "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."

NOTE: "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An Office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39). See also § 609, M.P.E.P., 8th Edition.

NOTE: "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

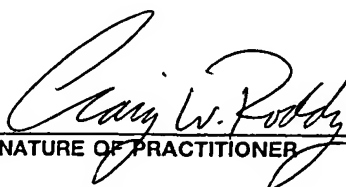
NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. § 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63). But see § 103(b) and (c), limited suspension of action in a continued prosecution application (CPA) filed under § 1.53(d) and in a request for continued examination (RCE) under § 1.114.

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(Transmittal of Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office Action [6-3]—page 3 of 3)



HES 2003-IP-012229U1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicants: | Jiten Chatterji et al. |) | |
| | |) | |
| | |) | Art Unit: unknown |
| Serial No.: | 10/695,892 |) | |
| | |) | |
| Filed: | October 29, 2003 |) | Examiner: Unknown |
| | |) | |
| For: | METHODS, CEMENT COMPOSITIONS |) | |
| | AND OIL SUSPENSIONS OF POWDER |) | |

INFORMATION DISCLOSURE STATEMENT

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

SIR:

The following document is known to Applicants or Applicants' attorneys and is submitted for the Examiner to consider in the above-captioned application.

U.S. PATENTS

U.S. Patent Number 2,805,719 issued September 3, 1957 to Harvey Burr.

U.S. Patent Number 3,131,075 issued April 28, 1964 to Fred A. Brooks, Jr.

U.S. Patent Number 3,360,046 issued December 26, 1967 to Billy J. Johnson.

U.S. Patent Number 3,784,499 issued January 8, 1974 to Albert C. Krupnick et al.

U.S. Patent Number 3,902,911 issued September 2, 1975 to Joseph U. Messenger.

U.S. Patent Number 3,985,593 issued October 12, 1976 to Oldrich Machacek.

U.S. Patent Number 4,081,299 issued March 28, 1978 to George L. Griffith.

U.S. Patent Number 4,104,092 issued August 1, 1978 to John J. Mullay.

U.S. Patent Number 4,234,344 issued November 18, 1980 to John M. Tinsley et al.

U.S. Patent Number 4,370,166 issued January 25, 1983 to Charles A. Powers et al.

U.S. Patent Number 4,384,896 issued May 24, 1983 to Pierre C. Aitcin et al.

U.S. Patent Number 4,515,635 issued May 7, 1985 to S. Prabhakara Rao et al.

U.S. Patent Number 4,543,137 issued September 24, 1985 to Koji Edamura et al.

U.S. Patent Number 4,555,269 issued November 26, 1985 to S. Prabhakara Rao et al.

U.S. Patent Number 4,618,376 issued October 21, 1986 to Antoni Saturnus et al.

U.S. Patent Number 4,623,390 issued November 18, 1986 to John A. Delmonico.

U.S. Patent Number 4,687,516 issued August 18, 1987 to John F. Burkhalter et al.

U.S. Patent Number 4,721,160 issued January 26, 1988 to Philippe Parcevaux et al.

U.S. Patent Number 4,829,107 issued May 9, 1989 to Lawrence J. Kindt et al.

U.S. Patent Number 4,904,709 issued February 27, 1990 to Jules J. Hermele.

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U.S. Patent Number 6,156,808 issued December 5, 2000 to Jiten Chatterji et al.
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U.S. Patent Number 6,268,406 B1 issued July 31, 2001 to Jiten Chatterji et al.
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PCT Patent Application Number WO 98/38855 published September 11, 1998.
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European Patent Number EP 814067 published June 17, 1997.

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European Patent Number EP 0492087 published July 1, 1992.

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European Patent Application Number EP 0 832 861 published April 1, 1998.

OTHER MATERIAL

Grace Construction Products brochure entitled "Force 10,000 Mechanical Properties of Force 10,000 Microsilica Concrete", dated 1999.

Grace Construction Products brochure entitled "Force 10,000 D High Performance Concrete Admixture Dry Densified Powder", dated 2002.

Grace Construction Products brochure entitled "Force 10,000 Water and Gas Permeability of Force 10,000 Microsilica Concrete", dated 1999.

Halliburton brochure entitled "Spherelite Cement Additive" dated 1999.

Halliburton brochure entitled "SSA-1 Strength-Stabilizing Agent" dated 1998.

Halliburton brochure entitled "MICROSAND Cement Additive" dated 1999.

Halliburton brochure entitled "SSA-2 Coarse Silica Flour" dated 1999.

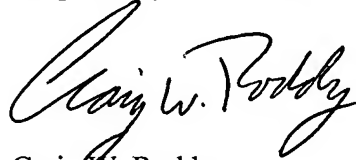
Halliburton brochure entitled "Microblock Cement Additive" dated 1999.

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Paper entitled "Cementing" by Dwight K. Smith, dated 1990.

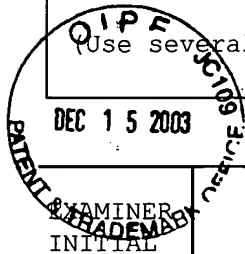
Copies of the aforementioned references and Form PTO-1449 are submitted herewith.

Respectfully submitted,

A handwritten signature in black ink, reading "Craig W. Roddy". The signature is fluid and cursive, with the first name "Craig" being the most prominent.

Craig W. Roddy
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Halliburton Energy Services
P. O. Box 1431
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580-251-3012

| | | |
|---|--------------------------------------|--------------------------|
| FORM PTO-1449 (Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | ATTY. DOCKET NO. 2003-IP-012229U1 | SERIAL NO. 10/695,892 |
| | APPLICANT Jiten Chatterji et al. | |
| | FILING DATE October 29, 2003 | GROUP unknown |



U.S. PATENT DOCUMENTS

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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

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| AU | Grace Construction Products brochure entitled "Force 10,000 Mechanical Properties of Force 10,000 Microsilica Concrete", dated 1999. |
| AV | Grace Construction Products brochure entitled "Force 10,000 D High Performance Concrete Admixture Dry Densified Powder", dated 2002. |
| AW | Grace Construction Products brochure entitled "Force 10,000 Water and Gas Permeability of Force 10,000 Microsilica Concrete", dated 1999. |

EXAMINER

DATE CONSIDERED

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| AS | EP650942 | 10/12/94 | Europe | C04B | 028/4 | X (abstract only) | |
| AT | 167649 | 04/15/02 | Norway | | | X | |

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

| | |
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| AU | Halliburton brochure entitled "Spherelite Cement Additives" dated 1999. |
| | Halliburton brochure entitled "SSA-1 Strength-Stabilizing Agent, dated 1998 |
| AV | Halliburton brochure entitled "MICROSAND Cement Additive" dated 1999. |
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FORM PTO-1449 (Modified)

ATTY. DOCKET NO.
2001-IP-012229U1SERIAL NO.
10/695,892LIST OF PATENTS AND PUBLICATIONS
FOR APPLICANT'S INFORMATION
DISCLOSURE STATEMENT

APPLICANT

Jiten Chatterji et al.

FILING DATE
October 29, 2003GROUP
unknown

(Use several sheets if necessary)

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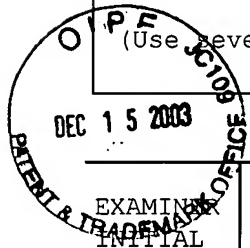
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

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| AU | Paper entitled "Cementing" by Dwight K. Smith, dated 1990. |
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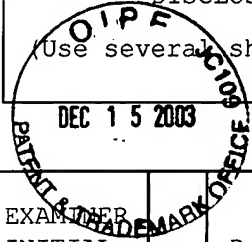
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| | AA | 6,173,778 B1 | 01/16/01 | Rae et al. | 166 | 293 | |
| | AB | 6,196,316 B1 | 03/06/01 | Bosma et al. | 166 | 294 | |
| | AC | 6,258,160 B1 | 07/10/01 | Chatterji et al. | 106 | 705 | |
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| | AI | | | | | | |
| | AJ | | | | | | |
| | AK | | | | | | |

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| | | Document No. | Date | Country | Class | Subclass | Translation | |
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| | AL | | | | | | | |
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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

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